



Board of Adjustment  
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## **MEETING NOTICE**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Board of Adjustment and to the general public that the Commission will hold the following meeting which will be open to the public on:

**Wednesday, July 24, 2019 at 12:00pm Study Session**  
**Mayor and Council Conference Room, City Hall**  
**255 W. Alameda Street**  
**Public Hearing 1:30pm**  
**Mayor and Council Chambers, City Hall**  
**255 W. Alameda Street**

## **AGENDA**

### **1. Call to Order/Roll Call**

- ( ) Steven Shell, Chairperson
- ( ) Carolyn Eldridge
- ( ) Jesse Lugo
- ( ) Alán Huerta
- ( ) Mark Jones
- ( ) Frank Mascia
- ( ) Eddie Rios

## **CONTINUED CASE**

### **2. C10-19-10 PAULES RESIDENCE / DETACHED GARAGE / DELMAR AND AUDREY PAULES TRUST / 2246 EAST 7<sup>TH</sup> STREET, R-1**

The applicant's property is an approximately 6,750 square foot lot zoned R-1 "Residential" and is developed with a single-family residence. The applicant proposes to construct an addition to the home and a detached garage. The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provides criteria for residential development in the R-1 zone, and Sections 6.3.4, 6.4.5 and Table 6.3-2.A which provide dimensional standards applicable to all principal and accessory structures. The applicant is requesting variances to allow reduced perimeter yard setbacks as measured from the

west perimeter yard lot line for the residential addition, and to allow reduced perimeter yard setbacks as measured from the west and south perimeter yard lot lines, and a reduced street perimeter yard setback as measured from the east lot line for construction of the new garage, all as shown on the submitted plans.

### **NEW CASES**

#### **3. C10-19-11 BOWERS RESIDENCE DETACHED SLEEPING QUARTERS AND GARAGE / JEREMY BOWERS / 2331 EAST 8<sup>TH</sup> STREET, R-1**

The applicant's property is an approximately 6,758 square foot lot zoned R-1 "Residential" and is developed with a single-family residence. The applicant is proposing to construct a two-story detached accessory structure that consists of a garage on the first floor and sleeping quarters on the second floor. The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provides criteria for residential development in the R-1 zone, and Sections 6.3.4, 6.4.5 and Table 6.3-2.A which provide dimensional standards applicable to all principal and accessory structures and Section 6.6.3 which provides the criteria for accessory structures in a residential zone. The applicant is requesting variances to allow for reduced perimeter yard setbacks as measured to the west, north and east lot lines, to exceed the maximum allowable height for a detached accessory structure, and to allow the total gross floor area of the detached accessory structure to exceed 50% of the total gross floor area of the principal structure, all as shown on the submitted plans.

#### **4. C10-19-12 EL RIO SOLAR CANOPIES / EL RIO SANTA CRUZ NEIGHBORHOOD HEALTH CENTER INC / 6950 EAST GOLF LINKS ROAD, C-1, C-2 AND O-3**

The applicant's property is an approximately 3.34 acre site zoned C-1, C-2 and O-3 and is developed with a community health center. The applicant is proposing to construct solar canopies over existing parking spaces on the west and south side of the development. The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Sections 4.7.15, .20, and .21, and Tables 4.8-3, and 4 which provides the criteria for commercial development in the C-1, C-2 and O-3 zones, and Section 7.6 which provides the landscape and screening standards for the development. The applicant is requesting a variance to delete the requirement for canopy trees within the western street landscape border along Langley Avenue, all as shown on the submitted plans.

#### **5. C10-19-13 THE PRIME LEAF MEDICAL MARIJUANA DISPENSARY / FRANTI III HOLDINGS LLC / 1525 NORTH PARK AVENUE, C-2**

The appellant, Jesse R. Callahan on behalf of Rashad J. Stocker, is appealing the Zoning Administrator's Determination (ZAD) (T19SA00137), issued May 16, 2019 relating to the minimum setbacks (distance) required between the medical marijuana dispensary and a licensed residential substance abuse diagnostic and treatment facility or other residential drug or alcohol rehabilitation facility and a church. The Zoning Administrator (ZA) determined that the Drikung Dzogchen Center of Arizona does not meet the definition of religious use, and that COPE Community Services, Inc. does not constitute a residential abuse and treatment facility or other licensed drug or alcohol facility. The appellant contends that ZAD fails to uphold the provisions of the City of

Tucson Ordinances 10850, 11199, 11346, and 11612 as they are written. UDC Sections applicable to this appeal include, in part, but are not limited to the following: Section 4.9.9.E which provides the use-specific standards for medical marijuana; Section 1.5.1 which provides for the ZA to interpret the provisions of the UDC; and Section 3.10.2 which provides for the Board of Adjustment to hear and decide on appeals made to the Zoning Administrator's decision.

## **6. Adjournment**

### **OTHER BUSINESS:**

- A. Findings Training
- B. Chairman, Opportunity to Speak on Scheduled Agenda Items
- C. Vice Chairman, Same Opportunity
- D. Members, Same Opportunity
- E. Staff, Same Opportunity
- F. Adjournment

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the (support staff/office information). Requests should be made as early as possible to allow time to arrange the accommodation.